



Entered on Docket
February 20, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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*Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
Debtor)
In re:) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
Debtor)
In re:) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
Debtor)
In re:) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)
In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

Affects

☐ All Debtors

☐ USA Commercial Mortgage Co.

☐ USA Securities, LLC

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed

☒ USA First Trust Deed Fund, LLC

DATE: February 15, 2007

TIME: 9:30 a.m.

**ORDER RE STIPULATION RE MOTION BY THE OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND
LLC TO ESTIMATE AN ADEQUATE RESERVE FOR UNLIQUIDATED AND
DISPUTED CLAIMS IN ORDER TO PERMIT FURTHER DISTRIBUTIONS TO
FTDF MEMBERS (SPANGLER)**

The Court having considered the Stipulation re Motion by the Official Committee of
Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Estimate an Adequate
Reserve for Unliquidated and Disputed Claims in Order to Permit Further Distributions to
FTDF Members (Spangler) (the "Stipulation") [docket no. 2779] and good cause appearing:

IT IS HEREBY ORDERED THAT the Stipulation is approved.

IT IS FURTHER ORDERED THAT on an interim basis, pending resolution of the
objection to the Spangler Claims, a reserve in the amount of \$130,678.50 shall be established on
behalf of the Spangler Claims.

SUBMITTED BY:

SHEA & CARLYON, LTD.

JAMES PATRICK SHEA

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and

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[All other signatures waived in open court.]

RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

☒ The Court waived the requirements of LR 9021.

☐ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

☐ approved the form of this order;

☐ waived signature in open court; and/or


☐ failed to file and serve papers in accordance with LR 9021(c).

☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:

☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 16 day of February, 2007.

SHEA & CARLYON, LTD.


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